

REMARKS

Reconsideration and allowance of the above-identified application are respectfully requested. By this Amendment, claim 1 has been modified to specifically recite a feature which is not present, indeed is not possible, in the disclosed arrangement of the cited Pogue, Jr. patent. No new matter is involved.

The rejection of claims 1-3 as being obvious over the Pogue, Jr., et al. Patent 3,188,729 is respectfully traversed. Claim 1 of the instant application recites an anvil equipped with a resilient bed member. The Examiner concedes that Pogue does not teach an anvil with a resilient bed member. Without any supporting evidence, the Examiner contends that:

It would have been obvious at the time of the invention to have provided the surfaces of the anvil 22/32 that contact the workpiece a resilient covering or bed member to prevent the anvil from scarring or scratching the workpiece surface.

Applicant respectfully traverses the Examiner's contention.

Not only would it not have been obvious to include a resilient covering or bed member as he contends; it would have been impossible. Even if it could be accomplished, it would not be equivalent to the structure claimed by applicant.

There is a fundamental difference between the structure of the Pogue, Jr. patent and the structure of the claimed invention. It will be noted that the striking hammer of claim 1 has a head adapted to mate with an anvil. The structure of Pogue, Jr. has no corresponding anvil. The Examiner has incorrectly and

improperly cited "the anvil 22/32". Pogue calls element 22 a block and element 32 a depending skirt adapted to space the block 22 with respect to the plane of the top wall 18 (column 2, lines 19 and 39-41). Moreover, the block 22 has at least one flat face 24 on its inner side, for planar engagement with the outer surface of conduit side wall 10 (column 2, lines 24-26). A resilient bed member positioned on the inner side of the block 22, as it would have to be to support the Examiner's contention of obviousness, will not serve the purpose of the present invention and would not meet the general terminology of applicant's claim 1.

As recited in claim 1, lines 5-7, the striking hammer is adapted to mate with an anvil which supports the outer (finished) surface of the door skin as it is folded about a door edge. It is impossible for the Pogue, Jr. device to operate in this fashion. The structure of Pogue, Jr. that is contended to be equivalent to the anvil of the present invention is the structure that is being formed with the "Pittsburgh lock". The configuration of this "Pittsburgh lock" (see column 2, lines 15-16) is shown in FIG. 4 and is clearly not similar to the structure of the present invention.

In the operation of the presently claimed invention, the door skin edge is crimped by bending it from an angle of 90° to the door skin edge to a fully folded shape encasing the door edge (claim 1, lines 10-12). By contrast, the metal edge of Pogue, Jr. is driven from an angle of about 120° (see FIG. 2) to the 90° angle shown in FIG. 4. It is impossible to crimp it over an edge.

For a resilient bed member to be effective in Pogue, it would have to be installed on the underside of the mushroom type

head 44 of the reciprocating hammer element (see column 2, lines 64-66 and FIG. 7), but that is not what applicant is claiming. Neither could it be considered obvious or equivalent to the claimed invention.

For the reasons given applicant respectfully submits that there is no reasonable basis for rejecting claims 1-3 with the explanation set out in the written opinion. However, to further distinguish the claimed invention over the cited art, claim 1 has been amended to recite a particular feature of mountability for the anvil and the striking head which clearly distinguishes over the Pogue, Jr. Patent. Amended claims 1-3 are clearly allowable over the cited reference.

In view of the above Amendment and these remarks, this application is now submitted to be in condition for allowance. Favorable action is solicited.

Respectfully submitted,



Henry M. Bissell
Attorney for Applicant
Registration No. 19,200

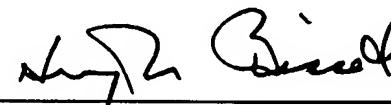
HMB/sk

6820 La Tijera Boulevard #106
Los Angeles, California 90045
(310) 645-1088

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is
being faxed to:
Facsimile No.:
(703) 305-3230

Date: February 2, 2004

Signed: 

Henry M. Bissell